

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

**MEMORANDUM ON PROPOSED TARIFF LEGISLATION
of the 109th Congress¹**

[Date approved: November 8, 2005]²

Bill No. and sponsor: H.R. 2444 (Mr. Tim Murphy of Pennsylvania).

Proponent name, location: LANXESS Corp., Pittsburgh, PA.

Other bills on product (109th Congress only): None.

Nature of bill: Temporary suspension of duty through December 31, 2009.

Retroactive effect: None.

Suggested article description(s) for enactment (including appropriate HTS subheading(s)):

1,1,2,2,3,3,4,4,4- Nonafluorobutanesulfonic acid, potassium salt (CAS No. 29420-49-3) (provided for in subheading 2904.90.50).

Check one: ☐ Same as that in bill as introduced.
☒ Different from that in bill as introduced (see Technical comments section).

Product information, including uses/applications and source(s) of imports:

The imported product, Bayowet C4, is a flame retardant for clear polycarbonates. It is a component for the production of over 250 different polycarbonates. The subject product is imported from Germany.

Estimated effect on customs revenue:

HTS subheading: <u>2904.90.50</u>					
	2005	2006	2007	2008	2009
Col. 1-General rate of duty	3.7%	3.7%	3.7%	3.7%	3.7%
Estimated value <i>dutiable</i> imports	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000	\$1,000,000
Customs revenue loss	\$37,000	\$37,000	\$37,000	\$37,000	\$37,000

Source of estimated dutiable import data: Industry estimates.

¹ Industry analyst preparing report: Jeff Clark (202-205-3318); Tariff Affairs contact: David Michels (202-205-3440).

² Access to an electronic copy of this memorandum is available at http://usitc.gov/tata/hts/other/rel_doc/bill_reports/index.htm

Contacts with domestic firms/organizations (including the proponent):

Name of firm/organization	Date contacted	US production of same or competitive product claimed?	Submission attached?	Opposition noted?
		(Yes/No)		
LANXESS Corporation (Proponent) Liese Wright, 202-872-8181	9/13/2005	No	No	No
BASF Corp. Tom Coleman, 202-289-3900	9/13/2005	No	No	No
Bayer Corp. Karen Niedermeyer, 412-777-2058	9/13/2005	No	No	No
Ciba Specialty Chemicals Corp. John Deming, 302-479-5499	9/13/2005	No	No	No
Clariant Corporation Andrew Zamoyski, 401-823-2230	9/13/2005	No	No	No
DuPont Elaine Olsen, 302-992-2263	9/13/2005	No	No	No
Lonza, Inc. Ray Esposito, 201-316-9200	9/13/2005	No	No	No

Technical comments:³

The Commission suggests that the article description on page 1 of this report be used in the proposed new heading in order to correct the ordering in the chemical name.

³ The Commission may express an opinion on the HTS classification of a product to facilitate consideration of the bill. However, by law, only the U.S. Customs Service is authorized to issue a binding ruling on this matter. The Commission believes that the U.S. Customs Service should be consulted prior to enactment of the bill.

109TH CONGRESS
1ST SESSION

H. R. 2444

To suspend temporarily the duty on Bayowet C4.

IN THE HOUSE OF REPRESENTATIVES

MAY 18, 2005

Mr. MURPHY introduced the following bill; which was referred to the
Committee on Ways and Means

A BILL

To suspend temporarily the duty on Bayowet C4.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. BAYOWET C4.**

4 (a) IN GENERAL.—Subchapter II of chapter 99 of
5 the Harmonized Tariff Schedule of the United States is
6 amended by inserting in numerical sequence the following
7 new heading:

“	9902.05.70	1-Butanesulfonic Acid, 1,1,2,2,3,3,4,4,4- Nonafluoro-Potassium Salt (CAS #29420–49–3) (pro- vided for in subheading 2904.90.50)	Free	No change	No change	On or before 12/31/2009	”.
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1 (b) EFFECTIVE DATE.—The amendment made by
2 subsection (a) applies to goods entered, or withdrawn from
3 warehouse for consumption, on or after the 15th day after
4 the date of enactment of this Act.

